

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

WALTER HENDERSON HOLLOWAY,

Plaintiff,

vs.

PHONE TECH, BRANDS RECALLED FOR
SHOCKING PEOPLE, SECRETARY OF
STATE, and COURT OF APPEAL'S LIVING
LAWS,

Defendants.

8:22CV259

MEMORANDUM AND ORDER

On July 18, 2022, Plaintiff Walter Henderson Holloway filed an unsigned Complaint. [Filing No. 1](#). On July 26, 2022, the Clerk of Court advised Plaintiff that his Complaint was unsigned and therefore deficient. The Clerk of Court directed Plaintiff to “correct the deficiency” (i.e., file a signed Complaint) within 15 days, or the pleading “may be stricken from the record of this case.” [Filing No. 6](#) (text order). Plaintiff failed to follow the Clerk of Court’s directions resulting in this Court issuing an Order on August 16, 2022, requiring Plaintiff to correct the deficient signature within 30 days or his case would be dismissed. [Filing No. 8](#). The August 16, 2022, Order was returned as undeliverable, [Filing No. 9](#), after which this Court issued an Order on August 24, 2022, requiring Plaintiff to update his mailing address within 30 days, [Filing No. 10](#), which he did on September 8, 2022, [Filing No. 12](#). Plaintiff has yet to file a signed Complaint.

Due to the return of this Court's prior Order giving Plaintiff 30 days to correct the signature deficiency, the Court hereby extends the September 15, 2022, deadline set forth in its prior order to allow Plaintiff ample time to comply.

IT IS THEREFORE ORDERED that:

1. Plaintiff shall file a signed Complaint in accordance with Federal Rule of Civil Procedure 11 and the Court's Local Rules. This matter cannot proceed until the Complaint is signed. FAILURE TO CORRECT THE DEFECT WILL RESULT IN DISMISSAL OF THE COMPLAINT WITHOUT FURTHER NOTICE.

2. Plaintiff is directed to correct the above-listed technical defect in the Complaint on or before **October 14, 2022**.

3. Failure to comply with this Order will result in dismissal of this matter without prejudice and without further notice.

4. The Clerk of Court is directed to set a pro se case management deadline in this matter with the following text: **October 14, 2022**: deadline for submission of a signed complaint.

5. No further review of this case shall take place until Plaintiff complies with this order.

Dated this 14th day of September, 2022.

BY THE COURT:

A handwritten signature in black ink, appearing to read "J F Bataillon", with a stylized flourish at the end.

Joseph F. Bataillon
Senior United States District Judge